



520.37857CV3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: K. KANETANI, et al.
Application No.: 10/754,596
Filed: January 12, 2004
For: SEMICONDUCTOR INTEGRATED CIRCUIT AND
SEMICONDUCTOR LOGIC CIRCUIT USED IN
THE INTEGRATED CIRCUIT
Art Unit: 2819
Examiner: A. TRAN

**REQUEST FOR RECONSIDERATION and SUBMISSION OF TERMINAL
DISCLAIMER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 29, 2005

Sir:

Reconsideration and allowance of this application is respectfully requested.

This Request for Reconsideration is in response to the Office Action dated May 2, 2005. In this Office Action, the sole grounds for rejection are obvious type double patenting rejections based on the claims of the parent patents 6,369,617 and 6,677,782. Although applicants respectfully submit that the claims of the present application patentably define over the claims of these earlier U.S. Patents, in order to expedite the allowance of the application, applicants are submitting herewith a Terminal Disclaimer. In light of the filing of this Terminal Disclaimer, it is respectfully submitted that the obviousness type double patenting rejections presented in paragraphs 1 and 2 of the Office Action are obviated, and, accordingly, removal of these rejections, and allowance of this application, is respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 520.37857CV3) and please credit any excess fees to such deposit account.

Kindly charge any additional fees due, or credit overpayment of fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 520.37857CV3).

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

By 

Gregory E. Montone
Reg. No. 28,141

GEM/dks

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TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 29, 2005

Sir:

Through its undersigned attorneys, 1) Hitachi, Ltd., 2) Hitachi ULSI SYSTEMS CO., Ltd. and 3) HITACHI DEVICE ENGINEERING CO., Ltd. having a principal place of business at, 1) 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo, Japan, 22-01; 2) Josuihoncho 5-chome, Kodaira-shi, Tokyo 187-8522, Japan, and 3) 3681, Hayano, Mobara-shi, Chiba 297-8581, Japan represent that as a result of an assignment recorded in the United States Patent and Trademark Office at Reel 012345, Frame 0179, they are the owners of 100% of the interest in the above-identified patent application.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on said patent application which would extend beyond the full statutory term of U.S. Patent Numbers 6,369,617 and 6,677,782.

Petitioner hereby agrees that any patent so granted on said patent application shall be enforceable only for and during such period that such patent and the above-listed patents are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer petitioner does not disclaim any terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term of the above-listed patents in the event that the above-listed patents expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, are reissued, or are otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned specifies that the evidentiary documents have been reviewed and certifies that, to the best of his knowledge and belief, title is in the assignee seeking to take this action.

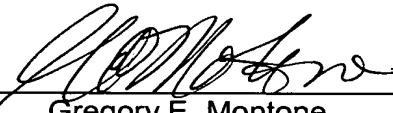
The undersigned attorneys are empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of this application or any patent issuing thereon.

Kindly charge any additional fees due, or credit overpayment of fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 520.37857CV3).

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

By 
Gregory E. Montone
Reg. No. 28,141

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